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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Sri Swamy Das, former panchayatSecretary, Tiruchanuru GP, Chittoor District - Allegation ofmisappropriation of funds – Charge held proved – Imposing the penalty ofDismissal from Service - Orders issued – Request for sanction ofCompassionate Allowance under Rule 40 of AP Revised Pension Rules,1980 on sympathetic Grounds – Sanctioned – Orders –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.V) DEPARTMENT

G.O.Rt.No.37 Dated: 25.01.2023

Read the following:

1. Charge Memo.No.4309/CPR&RE/B3/2008, Dt.16.10.2008 of the CPR&RE.
2. Proceedings.No.4309/CPR&RE/B3/2008, Dt.06.05.2009 of the CPR&RE.
3. Letter.No.4309/CPR&RE/B3/2008, Dt.30.11.2010 of the CPR&RE addressed to the Prl.Secy, PR&RD Dept.
4. Proceedings.No.4309/CPR&RE/B3/2008, Dt.15.10.2011 of the CPR&RE.
5. Orders of APAT Dated 12.06.2013 in OA No. 2880/12 with CA No. 861/12and VMA No. 1025/2021 filed bySri S. Swami Das, Pt. Secy. (underdismissal)
6. Representation, dt.22.03.2022 from Sri S.Swamy Das, former Pt. Secy., Gr.ITiruchanuru GP, Chittoor district (Dismissed).

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O R D E R:

In the reference 1st read above Charges were framed by CPR&RE, against Sri S.Swamy Das, former Pt. Secy., Gr.I Tiruchanuru GP, ChittoorDistrict based on the report of the District Collector (PW) Chittoor district, and the CO has submitted his Defence statement and denied the chargesframed against him.

2. In the reference 2nd read above, the CEO, ZP, Chittoor was appointed as Inquiry Officer to inquire into the allegations of misappropriation of Tiruchanur Gram Panchayat funds by Sri S.Swamy Das, former Pt.Secy.,Tiruchanur Gram Panchayat, Chittoor district, and the DPO, Chittoor was appointed as Presenting Officer.

3. In the reference 3rd read above, the CPR&RE has informed that the Inquiry Officer & CEO, ZP, Chittoor has submitted the Inquiry Report and stated that out of (28) charges (26) charges are held proved, one (1)charge is partially proved and one (1) charge is held not proved.

4. After following due procedure, vide reference 4th read above the CPR&RE, Hyderabad, has dismissed the Charged Officer, Sri S.SwamyDas, Pt. Secy.(U/s) Tiruchanur, Chittoor district from service besides recovery of the misappropriated amount of Rs.5,83,36,006/-.

5. Sri S. Swamy Das, Panchayat Secy (dismissed), Chittoor District has filed OA No. 2880/12 with CA No. 861/12 and VMA No. 1025/2021 before the Hon'ble APAT and the Hon'ble APAT in its orders in the reference 5thread above has ordered that the impugned order is justified and judious to the extent of dismissal from service of the applicant but not with regard to recovery of the amount from the applicant. The WP to be filed against the orders of Hon'ble APAT is pending with Government Pleader, APHC.

6. Sri Swamy Das, Panchayat Secy (dismissed), Chittoor District, has requested the Government for sanction of compassionate allowance as per Rule 40 of AP Revised Pension Rules, 1980 since there is no other livelihood for him to lead his family keeping in view his pathetic conditionson humanitarian grounds such as his health condition, family maintenance, and children education etc., vide reference 5th read above.

7. After careful examination of the representation of the individual, Government here by considered as a special case and decided for sanction of Compassionate Allowance 50% of pension in respect of SriS.Swamy Das, former Pt. Secy., Gr.I Tiruchanuru GP, Chittoor District, under the provison to the Rule 40 of A.P. Revised Pension Rules 1980, which shall be subject to Rule 45, which would have been admissible to him if he had retired on invalid pension, subject to the outcome of the Court Cases if any.

8. Accordingly, Government hereby sanction Compassionate Allowance @ 50% of pension in respect of Sri S.Swamy Das, former Pt. Secy., Gr.ITiruchanuru GP, Chittoor District, under the proviso to the Rule 40 of A.P.Revised Pension Rules 1980, which shall be subject to Rule 45, which would have been admissible to him if he had retired on invalid pension, subject to the outcome of the Court Cases if any.

9. The Commissioner, PR&RD, AP shall take necessary further actionaccordingly.

10. This order is issued with the concurrence of Finance (HR-III – Pension & GPF) Department Vide their U.O.No.FIN01-HR/84/2022-HR-III, Dated:20-05-2022.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, PR&RD, AP.
Copy to:
Sri S.Swamy Das, former Pt. Secy., Gr.I Tiruchanuru GP, Chittoor District through the Commissioner, PR&RD, AP.
The Finance (HR-III – Pension & GPF) Department
SF/SC(1390282)

//FORWARDED BY ORDER //

SECTION OFFICER

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SECTION OFFICER